

REMARKS

Claims 1 - 20 are pending in the application. Claims 1-19 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Publication 2003/0095487 A1 issued to Nishizawa et al. Claim 20 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Publication 2003/0095487 A1 issued to Nishizawa et al. Applicants respectfully traverse the rejections and request reconsideration and full allowance of all pending claims.

Nishizawa cannot anticipate Claims 1, 10 and 16 because Nishizawa fails to teach, disclose or suggest all elements recited by Claims 1, 10 and 16. Nishizawa does not read identification information to determine an optical medium type but rather looks at focus and tracking errors. If a focus error signal from an IR or red laser is smaller than a predetermined level, Nishizawa determines that the optical medium is a high density medium and the laser for the high density medium is initiated (*see e.g.*, paragraph [138]). The DVD or IR laser does not read identification information from the high density medium. Rather, once the focus error signal is detected as smaller than the predetermined level, the high density laser is initiated to read information from the high density medium. In contrast, Claim 1 recites that a first laser detects “identification information embedded on the optical medium that identifies the optical medium as associated with a second of the plural lasers;” Claim 10 recites “initiating use of the second laser according to the identification information if the attempt to read the identification information with the first laser succeeds;” and, Claim 16 recites “embedded identification information disposed for reading by a second laser, the identification information identifying the optical medium as associated with the first laser.” As is explained in Applicants’ written description, EDI is disposed so that a red laser can read it and identify the optical medium for use by the blue laser (pg. 6, line 19 – pg. 7, line 16). Since Nishizawa does not read identification information with the IR or red laser that relates to the high density laser, Nishizawa cannot anticipate Claims 1, 10 and 16. Accordingly, Nishizawa cannot anticipate Claims 1, 10 and 16. Applicants respectfully request that the Examiner withdraw the rejections and allow Claims 1-20.

CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

The Commissioner is authorized to deduct any fees which may be necessary and to credit any overpayment to Deposit Account No. 502264.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on January 18, 2007.

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Respectfully submitted,

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